

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

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THOMAS M. MOROUGHAN,

Plaintiff,

-against-

ORDER

CV 12-512 (JFB) (AKT)

THE COUNTY OF SUFFOLK, SUFFOLK
COUNTY POLICE DEPARTMENT,
SUFFOLK DETECTIVES RONALD TAVARES,
CHARLES LESER, EUGENE GEISSINGER,
NICHOLAS FAVATTA, and ALFRED CICCOTTO,
DETECTIVE/SGT. WILLIAM J. LAMB, SGT. JACK
SMITHERS, SUFFOLK POLICE OFFICERS WILLIAM
MEANEY, ENID NIEVES, CHANNON ROCCHIO,
and JESUS FAYA and SUFFOLK JOHN DOES 1-10,
THE COUNTY OF NASSAU, NASSAU COUNTY
POLICE DEPARTMENT, SGT. TIMOTHY MARINACI,
DEPUTY CHIEF OF PATROL JOHN HUNTER,
INSPECTOR EDMUND HORACE, COMMANDING
OFFICER DANIEL FLANAGAN, DETECTIVE/SGT.
JOHN DEMARTINIS, NASSAU POLICE OFFICERS
ANTHONY D. DILEONARD, EDWARD BIENZ
and JOHN DOES 11-20,

Defendants.

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A. KATHLEEN TOMLINSON, Magistrate Judge:

The Court has received the request of Plaintiff's counsel for a clarification of this Court's Electronic Order of June 12, 2013. Since the parties are apparently not all available for a phone conference today, the Court is issuing this Order. The Court is unclear why counsel wishes to submit to this Court a "courtesy copy" of a motion made in state court, when said motion has not been filed on ECF in this action. While the Court understands that plaintiff is seeking relief from the state court, this Court cannot accept "courtesy copies" of such motions with no corresponding ECF filing, even where no relief is being sought from this Court. Since the "courtesy copy" of the state court motion is not relevant to the resolution of the Suffolk County

District Attorney's pending motion to quash, plaintiff's counsel need not file it on ECF. If Plaintiff wishes to submit the state court motion in this action to create a record that such motion has been filed, he is directed to confer with all other counsel to reach an agreement about what documents are capable of being filed in redacted form on ECF and what other documents must be filed under seal pursuant to the terms of the parties' confidentiality order, as strictly construed. Pursuant to Administrative Order, this Court cannot allow documents to be filed under seal in a wholesale fashion. For example, certain exhibits to the state court motion, such as published cases and public ECF filings, may not be filed under seal because they are not confidential. If counsel are unable to resolve this issue among themselves, then they may contact Chambers to arrange a timely telephone conference.

SO ORDERED:

Dated: Central Islip, New York
June 13, 2013

/s/ A. Kathleen Tomlinson
A. KATHLEEN TOMLINSON
United States Magistrate Judge